

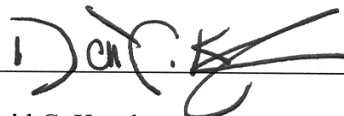
In this instance, Plaintiff has filed a persuasive response that contends, *inter alia*, that since the motion to compel was filed, Plaintiff has supplemented his discovery responses and stipulated to certain facts. (Document No. 41, pp.4, 6). According to Plaintiff, he has provided reasonable and diligent responses, and “[a]s of now, all requested information has been provided in a timely manner.” (Document No. 41, pp.4-5). As such, it appears that Plaintiff may have complied with

the discovery requests subject to the instant motion, or at least narrowed the parties' dispute as to what information must be provided.

While Defendant is permitted by the Local Rules to file a notice of intent not to reply, the lack of reply brief challenging any of the assertions in Plaintiff's response further suggests that the motion to compel may be moot. However, since the undersigned recognizes that there may still be discovery disputes outstanding, and/or that Defendant may still seek sanctions against Plaintiff, the undersigned will deny the motion without prejudice. Prior to filing a new motion to compel, the parties are respectfully reminded to confer and attempt to resolve their disagreement without further Court intervention.

**IT IS, THEREFORE, ORDERED** that the "Defendant's Motion To Compel And For Sanctions" (Document No. 38) is **DENIED WITHOUT PREJUDICE**.

Signed: March 29, 2012

  
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David C. Keesler  
United States Magistrate Judge

